

EXHIBIT 5

Metropolitan Sewer District of Greater Cincinnati

CSO Public Notification Program

September 2003

The Metropolitan Sewer District of Greater Cincinnati ("MSD") has committed to developing a public notification program regarding the potential health impacts of combined sewer overflows ("CSOs"). MSD will begin to fully implement the public notification program described below by March 31, 2004.

Program Goals

The goals of the public notification program are to notify interested MSD Service Area residents when wet weather sewer overflows are likely to occur, to educate them about the health hazards associated with wet weather overflows in our streams, and to enable them to protect themselves and their families from those hazards.

MSD's public notification program is designed to meet the following criteria:

- Timely:** Enable public access to CSO information and notifications 7 days a week and 24 hours a day - whenever conditions giving rise to CSOs exist.
- Reliable:** Be as fail-safe as possible so citizens can rely on the information and take appropriate actions.
- Easy to Administer:** MSD should be able to administer the program using existing staff and resources.
- Accurate:** Information should be accurate and not mislead the public regarding the safety of recreation in urban streams.
- Targeted:** The program should be targeted primarily toward citizens who live along or use the affected streams.
- Safe:** Give people the information they need to take steps to protect themselves and their families:
1. without overreacting to the hazard; and
 2. while recognizing that there is a residual hazard from wet weather overflows, failing septs, and other bacteria sources even when CSOs are not occurring.

Predicting Wet Weather Sewer Overflows

At this time, MSD does not have a fail-safe method for predicting or monitoring combined sewer overflows on a real-time basis. There are many factors that can trigger overflows, including the length and intensity of rainfall, prior ground moisture conditions, sewer blockages, etc. The methods for predicting CSO overflows are expected to improve as MSD implements its Long-Term Control Plan Update. In the meantime, MSD will issue a CSO warning whenever its weather forecasting service predicts or records a rainfall of .25 inches or more in Hamilton County or whenever the water levels in area rivers and streams are elevated such that a CSO overflow is likely to occur. MSD dispatchers already review these forecasts to monitor weather that might affect road conditions, and MSD will likewise monitor existing river gauging stations to track river and stream levels. The warning will remain in place for 72 hours after a rainfall occurs and 72 hours after water levels in area rivers and streams have returned to normal elevation and CSO discharges related to elevated river and stream levels are known or believed to have ceased in Hamilton County.

Methods of Notification

Telephone Hotline: Citizens may call a telephone hotline, which will play a recorded message describing current conditions (see below). Signs will be posted along waterways in the CSO area to notify citizens of the telephone hotline number.

E-Mail List-server: Citizens and other organizations also may sign up to receive notices via e-mail. A sample notice is below. MSD's Public Information Office will contact news media outlets and schools to invite them to sign up for the e-mail notification list.

Publicizing the Program

Prior to March 31, 2004, MSD will send out a press release and post notices on its website to let citizens know that the hotline and e-mail list-server are available. Any citizen who asks to be on the list-server will be added to it. MSD also will notify the Hamilton County Health Department.

MSD will also work with the Hamilton County Health Department to review signage placed at public access points along the streams.

Record-Keeping

MSD will document public notification efforts in its annual reports to USEPA, Ohio EPA and ORSANCO.

DRAFT CSO PUBLIC NOTIFICATION LANGUAGE

Sample Telephone Hotline messages

(exact language of message may vary from the following, and may be updated as conditions and tools progress)

Default Message:

You have reached the Metropolitan Sewer District of Greater Cincinnati sewer overflow information line. When it rains or when water levels in area rivers and streams are elevated, the sewers in the older parts of the MSD Service Area can overflow - sending untreated rainwater and sewage into our streams. Today, weather conditions and river and stream levels indicate that sewer overflows are not likely to occur. Even so, contaminants in the streams could make you sick. Even in dry weather, it's best to avoid contact with urban streams and teach children to stay away from waterways in the combined sewer area. MSD is implementing many projects to clean our water and reduce and eliminate sewage overflows. For more information, please visit the MSD website at www.msdc.org. Thank you for calling.

Warning Message:

There is a sewage overflow warning today. You have reached the Metropolitan Sewer District of Greater Cincinnati sewer overflow information line. When it rains or when water levels in area rivers and streams are elevated, the sewers in the older parts of the MSD Service Area can overflow - sending untreated rainwater and sewage into our streams. Today, weather conditions or elevated water levels in area rivers and streams indicate a strong possibility that overflows could occur, or have occurred in the past 72 hours. Please avoid all contact with water near a combined sewer, especially after a rainstorm. Signs are posted along our waterways to identify more than 130 combined sewer overflow outfalls and areas where contact with the water could be hazardous. MSD is implementing many projects to clean our water and reduce and eliminate sewage overflows. For more information, please visit the MSD website at www.msdc.org. Thank you for calling.

Sample Email message

(exact language of message may vary from the following, and may be updated as conditions and tools progress)

WET WEATHER SEWER OVERFLOW WARNING TODAY

Thank you for signing up to receive email information about wet weather overflows in the Metropolitan Sewer District of Greater Cincinnati service area. When it rains or when water levels in area rivers and streams are elevated, the sewers in the older parts of

the MSD Service Area can overflow -- sending untreated rainwater and sewage into our streams. Today, weather conditions indicate a strong possibility that overflows could occur. After a rainstorm, you should avoid contact with streams in the combined sewer area for at least 72 hours. You also should avoid contact with streams in the combined sewer area until 72 hours after water levels in area rivers and streams have returned to normal elevation. Signs are posted along our waterways to identify wet weather overflow outfalls and areas where contact with the water could be hazardous.

Even in dry weather, it's best to avoid contact with urban streams and teach children to stay away from waterways in the combined sewer area. MSD is implementing many projects to clean our water and reduce and eliminate sewage overflows. For more information and to learn about the steps MSD is taking to reduce wet weather overflows, please visit the MSD website at www.msdbg.org.